

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SUSAN BORIS
184 Pipers Inn Drive
Fountainville, PA 18923-9503,

Plaintiff,

vs.

CIVIL ACTION NO.

HASTER LAW OFFICE, P.A.
6640 Shady Oak Road, Suite 340
Eden Prairie, MN 55344-7720,

Defendant.

COMPLAINT

I. INTRODUCTION

1. This is an action for damages brought by a consumer pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §1692 (“FDCPA”).

2. The FDCPA prohibits debt collectors from engaging in deceptive and unfair practices in the collection of a consumer debt.

3. Defendant is subject to strict liability for sending a collection letter which violates the provisions of the FDCPA.

II. JURISDICTION

4. Jurisdiction arises under 15 U.S.C. § 1692k, and 28 U.S.C. § 1337.

III. PARTIES

5. Plaintiff Susan Boris ("Plaintiff") is a consumer who resides in Fountainville, Pennsylvania at the address captioned.

6. Defendant Haster Law Office, P.A. ("Defendant" or "Haster Law Firm") is an out of state collection law firm which has an office for the regular transaction of business at the address captioned.

7. Defendant regularly engages in the collection of consumer debts in the Eastern District of Pennsylvania using the mails and telephone.

8. Defendant regularly attempts to collect consumer debts alleged to be due another.

9. Defendant is a "debt collector" as that term is contemplated in the FDCPA, 15 U.S.C. § 1692a(6).

IV. STATEMENT OF CLAIM

10. On March 31, 2011, Defendant Haster Law Firm sent a form collection letter to Plaintiff in an attempt to collect a consumer debt alleged due its client. A copy of the March 31, 2011 letter is attached hereto as Exhibit "A" (redacted for privacy per Fed. R. Civ. Pro. 5.2) ("Dunning Letter").

11. The March 31, 2011 Dunning Letter is on the letterhead of "Haster Law Office, P.A." and is purportedly signed by Attorney Lisa A. Haster.

12. The March 31, 2011 Dunning Letter from the Haster Law Firm represents or implies a level of attorney involvement in the sending of the collection letter. There was no such involvement.

13. The March 31, 2011 Dunning Letter falsely implies that the collection of the account has been escalated by the hiring of a law firm to take steps, including the filing of a law suit, to collect the account.

14. In reality, and unbeknownst to the consumer, the Haster Law Firm sends this form collection letter in its capacity as a debt collector only and not as a law firm (acting like a real law firm).

15. The FDCPA prohibits debt collectors from using any false, deceptive, or misleading representations or means in connection with the collection of any debt. 15 U.S.C. § 1692e.

COUNT I - FAIR DEBT COLLECTION PRACTICES ACT

16. Plaintiff repeats the allegations contained above as if the same were here set forth at length.

17. The acts by Defendant described above violated the Fair Debt collection Practices Act in the following ways:

- (a) By using false, deceptive, or misleading representations or means in connection with the collection of any debt, in violation of 15 U.S.C. § 1692e and § 1692e(10);
- (b) By falsely representing or implying that a communication is from an attorney, in violation of 15 U.S.C. § 1692e(3).

WHEREFORE, Plaintiff Susan Boris demands judgment against Defendant Haster Law Office, P.A. for:

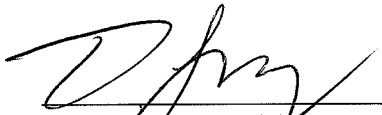
- (a) Damages;
- (b) Attorney's fees and costs; and
- (c) Such other and further relief as the Court shall deem just and proper.

V. DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully submitted:

Date: 9/26/11



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